



## ORDINANCE NO. 28299

L.I.D. No. 6979

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AN ORDINANCE relating to local improvement districts; approving and confirming the recalculated Final Assessment Roll for Local Improvement District No. 6979, for the cost of installing street lights along South 69th Street, from South Durango Street to South Madison Street; and along Proctor Street, from South 69th Street north approximately 225 feet; and providing for the disposition of the moneys collected upon said assessment.

WHEREAS the final assessment roll for Local Improvement District ("L.I.D.") No. 6979 was prepared and filed with the City Clerk on December 5, 2013, and a public hearing thereon has been held before the Hearing Examiner of the City on July 31, 2014, as required by law, and

WHEREAS the record was held open on the street light and street improvement L.I.D. for additional submissions by the City and by interested parties, and

WHEREAS the owners of properties located at the corner of South 69th and Madison Streets (Austin), and across South 69th Street (Herrera), presented evidence that their properties have existing street lighting which was not modified by the L.I.D. improvements, and which continues to serve said properties, and

WHEREAS the closest street light added to the project was approximately 75 feet from said properties, and did not constitute a benefit to either property, and

WHEREAS the Hearing Examiner concluded that these properties should not be assessed for the street light improvements, as the properties received no benefit from the installation, and, accordingly, recommended that the Assessment Roll be recalculated to exclude the Austin and Herrera properties, and



1 WHEREAS the Hearing Examiner has reported her recommendation to the  
2 City Council that any objections presented at the public hearing be overruled and  
3 that the recalculated assessment and assessment roll be confirmed, and the City  
4 Council hereby adopts the Hearing Examiner's recommendation; Now, Therefore,

5 **BE IT ORDAINED BY THE CITY OF TACOMA:**

6 Section 1. That any objections to the assessment or assessment roll are  
7 overruled and that the recalculated assessment and assessment roll certified to the  
8 City Council by the Director of Public Works on December 5, 2013, for the cost of  
9 installing street lights along South 69th Street, from South Durango Street to South  
10 Madison Street; and along Proctor Street, from South 69th Street north  
11 approximately 225 feet, together with all other work necessary to complete the  
12 project in accordance with the maps, plans, and specifications prepared and on file  
13 in the Office of the Director of Public Works, constituting Local Improvement District  
14 No. 6979 in the City, pursuant to Ordinance No. 27654, passed November 13,  
15 2007, and the levy and charge of the cost of the improvement as shown upon the  
16 assessment roll and thereby apportioned upon the adjoining, contiguous, and  
17 proximate lots and parcels of land specially benefited, in accordance with the laws  
18 of the state of Washington and ordinances of the City, are hereby approved and  
19 confirmed in all respects and the City Treasurer is hereby directed to collect the  
20 assessment, which may be paid without interest, penalty, or cost within 30 days  
21 after due notice shall have been given to the owners of the property within the  
22 assessment district by publication, in the manner provided by law; and, if the  
23 assessment is not paid within 30 days from the date of the first publication of the  
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notice, the same shall bear interest thereafter at the estimated rate of 5.375 percent per annum, the actual interest rate to be fixed by the ordinance authorizing the issuance and sale of bonds for this district.

Section 2. That the moneys collected upon the assessment, approved and confirmed by this ordinance, are hereby ordered to be placed in Local Improvement Fund, District No. 6979, the special fund created by Ordinance No. 27654. Under the provisions of the laws of the state of Washington and amendments thereto, and this ordinance, there shall be issued a warrant, or warrants, or installment note, or notes, in payment of the cost and expense of District No. 6979 payable out of said local improvement district fund. Such warrants or notes shall bear interest at the estimated rate of 5.375 percent per annum, the actual interest rate to be fixed by the ordinance authorizing the issuance and sale of bonds for this district; and shall be redeemed in cash from said local improvement district fund or by other warrants or notes, and the warrants or notes shall be sold, as provided by law, by the proper officers of the City of Tacoma at private sale, and the proceeds thereof shall be applied in payment of the cost and expense of the improvement.

Passed \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
Deputy City Attorney